

**JOHN R. LEY, LLC***Attorneys at Law*

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Patents  
Trademarks

Copyright  
Matters

TO : Commissioner  
OF : U.S. Patent and Trademark Office  
DATE : October 10, 2007  
FAX NO. : 571-273-6500 PHONE NO.: \_\_\_\_\_  
FROM : Connie Bursey, Legal Assistant  
OUR REF. : 270.301

**MESSAGE**

Re: Deposit Account No. 121087  
September 2007 Statement  
Attorney Docket No. 270.301, Serial No. 10/791,653

This is a refund request for the above-referenced deposit account in the amount of \$60. On the September 2007 Deposit Account Statement (copy enclosed), Attorney Docket No. 270.301 on 9/14 was charged \$120 for Fee Code 1251 which is a one month extension of time fee for a large entity. The fee for Serial No. 10/791,653 should have been charged at the "small entity" rate of \$60. Attached is copy of the Transmittal Letter, dated 9/12/07 authorizing payment of the fee for Serial No. 10/791,653. Also is a copy of the USPTO Filing Receipt, dated 5/21/04, indicating that Serial No. 10/791,653 is a "Small Entity."

If you have any questions, please do not hesitate to call at the above listed number. Thank you for your attention to this refund request.

This facsimile transmission will contain 4 pages, including this cover sheet. Please call Connie Bursey at (303) 740-9000 if you experience difficulties receiving any portion of this transmission.

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AMENDMENT TRANSMITTAL LETTER

IN RE THE APPLICATION OF: Sherry Fox and Allen M. Sudduth

SERIAL NO. : 10/791,653  
 DATE FILED : March 2, 2004  
 FOR : METHOD AND APPARATUS FOR TREATING ERECTILE SEXUAL DYSFUNCTION USING LIGHT ENERGY

Mail Stop Amendment  
 Director of the U.S. Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

TRANSMITTED HERewith ARE THE FOLLOWING:

☒ Authorization and Request for One Month Extension of Time and Ratification of Previously-Filed Response

FEES HAVE BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT	(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
				RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	*31	- 31	**0	X \$25 =	\$0.00	OR	X \$50 =	\$0.00
INDEP:	*2	- 3	***0	X \$100 =	\$0.00	OR	X \$200 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS				+ \$180 =		OR	+ \$360 =	
ADDITIONAL FEES				TOTAL:	\$0.00	OR	TOTAL:	\$0.00

\*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.


\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

\*\*\*IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

☐ A CHECK IN THE AMOUNT OF \$\_\_\_\_\_ FOR THE ADDITIONAL FEES IS ENCLOSED.☐ A CHECK IN THE AMOUNT OF \$\_\_\_\_\_ TO COVER THE PETITION FEE IS ENCLOSED.☐ A CHECK IN THE AMOUNT OF \$\_\_\_\_\_ FOR THE ADDITIONAL FEES AND PETITION FEE IS ENCLOSED.☒ THE DIRECTOR IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION TO DEPOSIT ACCOUNT NO. 12-1087. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.☒ ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.☒ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.Dated at Greenwood Village, Colorado, this 12<sup>th</sup> day of September, 2007.

Respectfully submitted,

  
 John R. Ley  
 Registration No. 27,453  
 ATTORNEY FOR APPLICANT

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Customer No. 28785

Adjustment Date: 10/23/2007 HGBREH1  
 09/14/2007 LPENDER 00000003 121087 10791653  
 01 FC:1251 120.00 CR  
 10/23/2007 HGBREH1 00000006 121087 10791653  
 01 FC:2251 60.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/791,653	03/02/2004	3782	0.00	270.301	3	31	2

CONFIRMATION NO. 2707

28785  
JOHN R LEY, LLC  
5289 DTC BLVD, SUITE 810  
GREENWOOD VILLAGE, CO 80111

## FILING RECEIPT

10791653 03022004 3782 000 270301 3 31 2  
\*OC000000012735002\*

Date Mailed: 05/21/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sherry Fox, Parker, CO;  
Allen M. Sudduth, Arvada, CO;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/20/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Method and apparatus for treating erectile sexual dysfunction using light energy

Preliminary Class

RECEIVED

MAY 24 2004

JOHN R LEY, LLC

## Deposit Account Statement

Page 1 of 1

**United States  
Patent and  
Trademark Office****Deposit Account Statement**

Requested Statement Month: September 2007  
Deposit Account Number: 121087  
Name: JOHN R LEY LLC  
Attention: JOHN R. LEY, ESQ.  
Street Address 1: 5299 DTC BLVD., SUITE 610  
Street Address 2:  
City: ENGLEWOOD  
State: CO  
Zip: 80111-3321  
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/04	57	11446749	224.307	2201	\$300.00	\$3,514.00
09/06	6664	E-REPLENISHMENT		9203	-\$1,500.00	\$5,014.00
★ 09/14	4	10791853	270.301	1251	\$120.00	\$4,894.00
09/17	15	11228891	24.365	1202	\$100.00	\$4,794.00
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$3,814.00	\$520.00	\$1,500.00	\$4,794.00	

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